

AN ORDINANCE

BY THE CITY UTILITIES COMMITTEE

AUTHORIZING THE MAYOR TO EXECUTE THE FOURTH AMENDMENT TO THE TECHNICAL ASSISTANCE AGREEMENT REGARDING WATER SUPPLY BETWEEN THE ATLANTA REGIONAL COMMISSION (ARC) AND THE CITY OF ATLANTA, COBB COUNTY-MARIETTA WATER AUTHORITY, DEKALB COUNTY, THE ATLANTA FULTON COUNTY WATER RESOURCES COMMISSION (AFCWRC), AND GWINNETT COUNTY; TO PROVIDE FOR PAYMENT OF ATLANTA'S CONTRIBUTION (\$100,000) AND THE CITY'S PORTION OF THE (AFCWRC \$50,000) IN ORDER TO FUND WORK IN FURTHERANCE OF THE REGIONAL TECHNICAL EFFORTS RELATED TO THE COMPREHENSIVE STUDY ON BEHALF OF THE DEPARTMENT OF WATER; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta did, on behalf of the Department of Water, enter into a technical assistance agreement with the Atlanta Regional Commission on May 20, 1992; and

WHEREAS, the City of Atlanta entered this agreement in order to be a part of a cooperative effort with other governmental agencies to insure that its citizens will continue to receive the desired quantity and quality of water; and

WHEREAS, additional funds are needed to complete the study and provide technical responses to the various scenarios presented during the course of the tri-states negotiations; and

WHEREAS, the Commissioner of the Department of Water has recommended that the contract with the Atlanta Regional Commission (ARC) be amended to increase the amount by \$100,000.00, not to exceed a total contract amount of \$500,000.00

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA,
HEREBY ORDAINS THAT:**

Section 1. That the 2001 (Water and Sewerage Renewal and Extension Fund) Budget be and is hereby amended as follows:

	<u>Transfer from Appropriations</u>	
2J01 T11001 791001	Reserve for Appropriations	\$100,000

	<u>Transfer to Appropriations</u>	
2J01 724001 Q21101	Consultant/Professional Services	\$100,000

Section 2. The Mayor is hereby authorized to execute an amendment to the Technical Assistance Agreement with the Atlanta Regional Commission (ARC) which shall increase the amount by \$100,000.00, not to exceed a total contract amount of \$500,000.00.

Section 3. The Mayor is authorized to make payment on behalf of the Atlanta Fulton County Water Resources in the amount of \$100,000 (one half of that to be reimbursed by Fulton County).

Section 4. That all ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

**FOURTH AMENDMENT
TO TECHNICAL ASSISTANCE AGREEMENT
REGARDING WATER SUPPLY**

THIS AGREEMENT, entered into as of this ____ day of _____, by and between the CITY OF ATLANTA, COBB COUNTY-MARIETTA WATER AUTHORITY, DEKALB COUNTY, FULTON COUNTY, ATLANTA-FULTON COUNTY WATER RESOURCES COMMISSION, and GWINNETT COUNTY, (hereinafter referred to as the "Participants"), and ATLANTA REGIONAL COMMISSION (hereinafter referred to as "ARC").

WITNESSETH THAT:

WHEREAS, the Participants did enter into an agreement with ARC, dated May 20, 1992, in which the ARC agreed to perform certain professional services for the Participants and the Participants agreed to compensate ARC for the performance of such services in the amount of \$100,000 each, all as more fully set forth in said agreement; and

WHEREAS, the parties hereto have previously amended said contract as of May 20, 1996, April 5, 1999 and November 13, 2000, including increasing the compensation by \$100,000 each time to a total of \$400,000 each; and

WHEREAS, the parties wish to further amend said contract increasing the compensation an additional \$100,000 each to a total of \$500,000, and extend the term of the agreement by one (1) year, each as set forth herein below.

NOW, therefore and in consideration of the mutual benefits to the parties, the parties agree that said contract is hereby amended as follows;

1. The first sentence of Item 5, Monetary Contributions by Participants, is hereby revised to read: "Each of the Participants agrees to contribute a total contribution of Five Hundred Thousand Dollars (\$500,000)."
2. The last sentence of Item 7, Term, is hereby revised to read: "In no event however, shall this agreement survive beyond December 31, 2002, except by mutual agreement of the affected parties."
3. Effective with the execution of this amendment, Fulton County (original permit holder) is replaced as a participant in the Technical Assistance Agreement by the Atlanta-Fulton County Water Resources Commission.

The parties hereto understand and agree that this amendment may be executed in counterparts.

Technical Assistance Agreement
Regarding Water Supply
Amendment # 4

Except as specifically modified hereinabove, the remainder of said agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the Participants and ARC hereunto agree effective as of the date above written.

City of Atlanta

Bill Campbell, Mayor

Attested
Commissioner, Water Department

Cobb County - Marietta Water Authority

Scott C. Craddock, Chairman

Attested

DeKalb County

Vernon Jones
Chief Executive Officer
DeKalb County, Georgia

Approved as to Form:

County Attorney

ATTESTED:

Ex Officio Clerk of the
Chief Executive Officer
and Board of Commissioners
of DeKalb County, Georgia

Technical Assistance Agreement
Regarding Water Supply
Amendment # 4

Fulton County

Mike Kenn, Chairman

Approved as to Form:

ATTEST:

Office of the County Attorney

Clerk to the Commission

Approved as to Content:

Gwinnett County

F. Wayne Hill, Chairman

Approved as to Form:

Attested

Assistant County Attorney

**Atlanta-Fulton County Water
Resources Commission**

Chairman

Attest:

Notary Public

My Commission Expires: _____

Atlanta Regional Commission

Director

Attested, Assistant Secretary

Chair

01-0-1696

(Do Not Write Above This Line)

AN ORDINANCE BY: *Paul A. Davis*
 AUTHORIZING THE MAYOR TO *James B. Davis*
 EXECUTE THE NORTH FOURTH
 AMENDMENT TO THE TECHNICAL
 ASSISTANCE AGREEMENT REGARDING
 WATER SUPPLY BETWEEN THE
 ATLANTA REGIONAL COMMISSION(ARC)
 AND THE CITY OF ATLANTA, COBB
 COUNTY-MARIETTA WATER AUTHORITY
 DEKALB COUNTY, THE ATLANTA
 FULTON COUNTY WATER RESOURCES
 COMMISSION(AFCWRC), AND
 GWINNETT COUNTY; TO PROVIDE FOR
 PAYMENT OF ATLANTA'S
 CONTRIBUTION (\$100,000) AND THE
 CITY'S PORTION OF THE (AFCWRC
 \$50,000) IN ORDER TO FUND IN
 FURTHERANCE OF THE REGIONAL
 TECHNICAL EFFORTS RELATED TO
 THE COMPREHENSIVE STUDY ON
 BEHALF OF THE DEPARTMENT OF
 WATER; AND FOR OTHER PURPOSES.

- ☐ CONSENT REFER
☐ REGULAR REPORT REFER
☐ ADVERTISE & REFER
☐ 1st ADOPT 2nd READ & REFER

Date Referred

Referred To:

10/15/01

City Utilities

First Reading

Committee _____
 Date _____
 Chair _____

Committee

Date

Chair

Fav, Adv, Held (see rev. side)

Other

Members

Refer To

Committee

Date

Chair

Fav, Adv, Held (see rev. side)

Other

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Held (see rev. side)

Other

Members

Committee

Date

Chair

Action:

Fav, Adv, Held (see rev. side)

Other

Members

Refer To

Refer To

COUNCIL ACTION

☐ 2nd ☐ 1st & 2nd ☐ 3rd

Readings

☐ Consent ☐ V Vote ☐ RC Vote

CERTIFIED

MAYOR'S ACTION